



RECEIVED  
CENTRAL FAX CENTER

MAR 08 2005

4845 Pearl East Circle  
Suite 300  
Boulder, CO 80301  
(720) 931-3000, Fax (720) 931-3001

Direct Dial Number:  
(720) 931-3033

2345 Grand Boulevard,  
Suite 2800  
Kansas City, MO 64108-2612  
(816) 292-2000, Fax (816) 292-2001

10851 Mastin Blvd.  
Building 82, Suite 1000  
Overland Park, KS 66210-1669  
(913) 451-5100, Fax (913) 451-0875

1010 Market Street  
Suite 1300  
St. Louis, MO 63101-2000  
(314) 613-2500, Fax (314) 613-2550

[www.lathropgage.com](http://www.lathropgage.com)

314 East High Street  
Jefferson City, MO 65101  
(573) 893-4336, Fax (573) 893-5398

1845 S. National  
Springfield, MO 65808-4288  
(417) 886-2000, Fax (417) 886-9126

1200 G Street, N.W.  
Suite 800  
Washington, D.C. 20005  
(202) 434-8984, Fax (202) 434-8992

March 8, 2005

From: David J. Lee  
Tele: 720 931 3021  
email: [dlee@lathropgage.com](mailto:dlee@lathropgage.com)

Matter No.: 414634

To:	Company:	Fax Number:	Phone Number:
Technology Center 1600	United States Patent Office	703 872 9306	703 308 0198

Number of Pages Transmitted (including this cover sheet): 4

Message: To Whom It May Concern:

We submit the following documents in U.S. Application No. 09/773,303 - 90/005,892  
Filed 01/31/2001 - 12/20/2000

1. Transmittal Form SB-21 (1 page)
2. Amended Request for Refund under 37 CFR § 1.26 (1 page);
5. Certificate of Transmittal (1 page)
6. Facsimile cover sheet (1 page)

The above-referenced application has been assigned to Amy Nelson, Group Art Unit 1638.

Thank you for your attention to this transmittal.

If you have a problem receiving this facsimile, please call: (720) 931-3000

Fax Attendant:

*Carol*

**CONFIDENTIALITY NOTE:**

The information in this facsimile message ("fax") is sent by an attorney or his/her agent, is intended to be confidential and for the use of only the individual or entity named above. The information may be protected by attorney/client privilege, work product immunity or other legal rules. If the reader of this message is not the intended recipient, you are notified that retention, dissemination, distribution or copying of this fax is strictly prohibited. If you receive this fax in error, please notify us immediately by telephone and return it to the address above. Thank you.  
BLDRDOCS 84750v2

RECEIVED

MAR 08 2005

PTO/SB/21 (09-04)

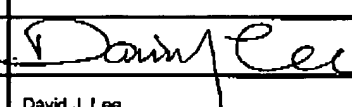
Approved for use through 07/31/2008. OMB 0854-0031

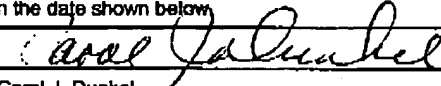
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	90/773,303 - 90/005,892	
	Filing Date	01/31/2001 - 12/20/2000	
	First Named Inventor	Larry M. Proctor	
	Art Unit	1638	
	Examiner Name	Amy J. Nelson	
Total Number of Pages in This Submission	4	Attorney Docket Number	414634

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Transmittal Facsimile Cover Sheet
Remarks		

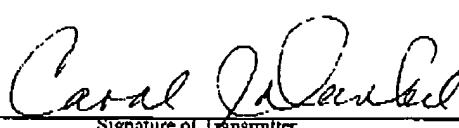
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Lathrop & Gage L.C.		
Signature			
Printed Name	David J. Lee		
Date	March 8, 2005	Reg. No.	41,935

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Carol J. Dunkel	Date	March 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR 08 2005

<b>CERTIFICATE OF FACSIMILE TRANSMISSION 37 CFR 1.8</b>			<b>Matter No.</b>
Applicant(s): Larry M. Proctor			414634
<b>Serial No.</b> 90/773,303 and 90/005,892	<b>Filing Date</b> 1/31/2001 and 12/20/2000	<b>Examiner</b>  Amy Nelson	<b>Group Art Unit</b>  1638
<b>Invention</b> FIELD BEAN CULTIVAR NAMED ENOLA			
I hereby certify that the following documents: <ol style="list-style-type: none"><li>1. Certificate of Transmission (1 page);</li><li>2. Transmittal Form (1 page);</li><li>3. Amended Request for Refund under 37 CFR § 1.26 (1 page) and</li><li>4. Facsimile Cover Sheet (1 page)</li></ol> are being sent via facsimile transmission to facsimile number <u>703 872 9306</u> , to TC1600, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on <u>March 8, 2005</u> .			
<div style="text-align: right;">Carol J. Dunkel <small>Name of Transmitter</small></div> <div style="text-align: center; margin-top: 50px;"> <small>Signature of Transmitter</small></div>			